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4 UNITED STATES DISTRICT COURT  
5 DISTRICT OF NEVADA

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7 RANDI ALEXANDER, *et al.*,

Case No. 2:16-cv-02268-MMD-GWF

8 Plaintiffs,

9 v.

**ORDER**

10 KATHRYN FALK, *et al.*,

11 Defendants.

12 This matter is before the Court on Plaintiffs' Motion for Leave to File a Sur-Reply, to  
13 Continue Hearing on Defendants' Motion for Sanctions, and to Allow Plaintiff's Out of State  
14 Counsel to Appear by Telephone (ECF No. 83), filed on July 14, 2018. Defendants filed their  
15 Response (ECF No. 85) on July 16, 2018.


16 Plaintiffs request leave to file a surreply to Defendants' Motion for Sanctions. A party is  
17 permitted to file a surreply only by leave of court and motions for leave to file a surreply are  
18 discouraged. *See* LR 7-2(b). The Court may grant leave to file a surreply if new matters are  
19 raised for the first time in the reply to which a party would otherwise be unable to respond. *See*  
20 *United States v. Ormat Indus., Ltd*, 2016 WL 1298119, at \*6 (D. Nev. Apr. 1, 2016). Plaintiffs  
21 do not assert that Defendants raised new matters for the first time in their reply and the Court  
22 finds that Defendants did not raise new arguments in their reply. The Court, therefore, denies  
23 Plaintiffs' request for leave to file a surreply.

24 Plaintiffs request a continuance of the hearing set for July 19, 2018 due to a scheduling  
25 conflict. The Court set this matter for hearing on June 22, 2018. Plaintiffs fail to set forth the  
26 basis for its request other than the assertion that counsel will be out of town and travelling. The  
27 Court does not find good cause to reschedule the hearing. The Court will, however, allow  
28 Plaintiffs' counsel to appear by telephone for the hearing set for July 19, 2018. Accordingly,

1 IT IS HEREBY ORDERED that Plaintiffs' Motion for Leave to File a Sur-Reply, to  
2 Continue Hearing on Defendants' Motion for Sanctions, and to Allow Plaintiff's Out of State  
3 Counsel to Appear by Telephone (ECF No. 83) is **granted**, in part, and **denied**, in part.

4 IT IS FURTHER ORDERED that Plaintiffs' counsel is permitted to appear by telephone  
5 for the hearing set for July 19, 2018.

6 DATED this 17th day of July, 2018.

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10 GEORGE FOLEY, JR.  
11 United States Magistrate Judge  
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